

U.S. DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
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UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF LOUISIANA

ALEXANDRIA DIVISION

CALVIN G. BELTON
La. DOC #300340
VS.

CIVIL ACTION NO. 08-1489

SECTION P
JUDGE DRELL
MAGISTRATE JUDGE KIRK

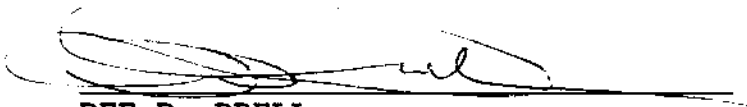
TIM WILKINSON, WARDEN

J U D G M E N T

For the reasons contained in the Report and Recommendation of the Magistrate Judge filed previously herein, noting the absence of objections thereto, and concurring with the Magistrate Judge's findings under the applicable law;

IT IS ORDERED that this petition for habeas corpus be DENIED AND DISMISSED WITH PREJUDICE because petitioner's claims are barred by the one-year limitation period codified at 28 U.S.C. §2244(d) and he is not eligible for the benefits of either statutory or equitable tolling.

THUS DONE AND SIGNED, in chambers, in Alexandria, Louisiana, on this 25th day of March, 2009.


DEE D. DRELL
UNITED STATES DISTRICT JUDGE